

REMARKS

Enclosed herewith are new formal drawings in which the reference numerals 37a and 37b have been added as shown in the copy also enclosed herewith. These numbers are disclosed on page 12, line 12, in the Specification as originally filed.

Page 4 of the Specification has been corrected and the paragraph containing the correction is submitted herewith.

Claims 1-12 have been rejected under 35 U.S.C. § 112, for various formal matters. The claims have been amended to correct these informalities.

Claims 1-5, 7-11 and 13-17 have been rejected under 35 U.S.C. § 103(a) as obvious over Bell et al. U.S. Patent No. 6,289,889, in view of Cheney III U.S. Patent No. 5,143,048. Bell et al. has been cited as having a heat source in contact with towels. Bell et al. does not disclose or suggest the use of the heat source of this invention. Cheney has been cited as showing a heat source using supercooled liquids. However, Cheney shows a heat source that is imbedded in the heat pack and is not separate from the rest of the product. Applicant has amended the independent claims to add the limitation that the heat source is "in contact with but separate from said at least one towel." It is respectfully urged that one skilled in the art, upon reading Bell et al. and Cheney, would not substitute the heat source of Cheney in the device of Bell et al. because Cheney teaches isolation of the heat source from the user by installing the heat source in the middle of a solid heat pack.

In addition, Bell et al. contemplates a very hot product such that it can prepare coffee or tea, soups, cheeseburgers and other foods in addition to the brief mention of towels in column 8, cited by the Examiner. The entire thrust of the Bell et al. reference is to produce heat for a variety of products, and thus one selects the appropriate heat source for the application intended. If one were to want to make towels hot, one would look for a heat source that would have a comfortable temperature. Applicant has disclosed that this is about 130 °F. In contrast, Cheney discloses that its heat source generates a heat of 105 degrees \pm 1 degree for five minutes. While Cheney does not say if the degrees are °F or °C, it is clear that the temperature recited is in °F because one would not use a heat pad that is hotter than boiling water. Thus Cheney is not capable of

generating the heat required in Bell et al. and one skilled in the art would not combine the heat source of Cheney in Bell et al. products. Reconsideration of the rejection and allowance of the claims are earnestly solicited.

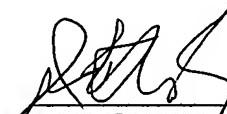
Claims 6, 12 and 18 have been rejected under 35 U.S.C. § 103(a) over Bell and Cheney as applied to claims 1, 7 and 13, further in view of Kaiser et al. U.S. Patent No. 4,296,161. Kaiser et al. has been cited for the disclosure of the particular materials of the towels. Kaiser et al. does in fact disclose nonwoven fabrics that can be used as a towel, but does not add anything to the deficiencies of the primary combination and does not address heated objects of any kind. Reconsideration and allowance are respectfully urged.

If the Examiner considers this case ready for conclusion, other than by Allowance, the Examiner is respectfully requested to call Applicant's attorney at the number listed below.

Respectfully submitted,
James A. Donovan

DATE: 4/27/09

By his Attorney



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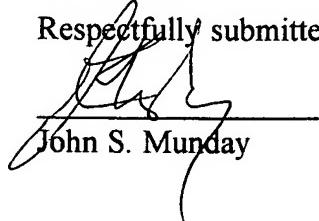


CERTIFICATE OF MAILING

I hereby certify that the attached correspondence is being deposited with the United States Postal Service and First Class Mail in an envelope addressed to: Mail Stop non fee amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450, on the date appearing below.

DATE: November 22 2004

Respectfully submitted,


John S. Munday